

Remarks

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendments, claims 1-8 are pending in the application, with claim 1 being the independent claim. Claims 9-14 are withdrawn.

Claims 1 and 2 are currently amended. Support for the amendment to claim 1 can be found throughout specification, e.g., in originally filed claim 5. The amendment to claim 2 is to correct a typographical error. These changes are believed to introduce no new matter, and their entry is respectfully requested.

Based on the above amendments and the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

Miscellaneous matters

Applicants thank the Examiner for clarifying on the record the status of claim 14. As filed herewith, the status of claim 14 has been changed to "withdrawn," in light of the Examiner's restriction. Applicants acknowledge the Examiner's remark that Group II (claims 9-13) and claim 14 will be eligible for rejoinder upon indication of allowable subject matter.

Rejections under 35 U.S.C. § 112

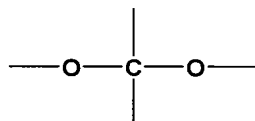
Claim 1 was objected to under 35 U.S.C. § 112 due to the placement of the phrase "via an acid-cleavable linkage." Claim 1 has been amended in accordance with the Examiner's suggestion by deleting this phrase from the middle of claim 1, and

placing this phrase at the end of the claim 1. Applicants respectfully request that the rejection of claim 1 under 35 U.S.C. § 112 be withdrawn.

Rejections under 35 U.S.C. § 102

Claims 1-7 were rejected under 35 U.S.C. § 102 as allegedly being anticipated by Tullis (U.S. Pat. No. 4,904,582). Specifically, the Examiner alleged that Tullis teaches 20 nucleotide phosphodiester-linked antisense oligonucleotide conjugates, and further teaches oligonucleotide conjugates comprising acetal bond linking groups and PEG. For support of the disclosure of an acetal bond by Tullis, the Examiner generically recites col. 4, lines 1-35. Applicants respectfully traverse this rejection.

As stated in the Amendment and Reply submitted January 8, 2008, Applicants submit that an acid cleavable linkage is NOT disclosed in Tullis, and that more specifically, an acetal bond is NOT disclosed in Tullis. As one of skill in the art can appreciate, an acetal bond is of the generic formula:



In Tullis, various bonds are disclosed. Since the Examiner did not explicitly disclose which bond she considered to be an acetal bond, it is Applicants' position that the bond in Tullis closest to an acetal bond is found on col. 4, line 7: "-O(CH₂)_nO-" wherein n is usually in the range of 2 to 20 (col. 4, line 15). Thus, the closest bond described in Tullis is -O-CH₂-CH₂-O-. Therefore, Tullis does not teach an acetal bond, nor an acid cleavable bond. Thus, each and every element of claim 1 is not found in the cited

document. Applicants respectfully request that the rejection of claims 1-7 under 35 U.S.C. § 102 in view of Tullis be withdrawn.

Rejections under 35 U.S.C. § 103

Claim 8 was rejected under 35 U.S.C. § 103 as allegedly being unpatentable over Raschella et al. (Cancer Research 52:4221-4226 (1992)) and Tullis. Claim 8 is ultimately dependent on claim 1. Claim 1 features an acid cleavable linkage. As noted above, Tullis does not disclose an acid-cleavable linkage. Raschella et al. does not cure the deficiencies of Tullis, since it also does not disclose an acid-cleavable linkage. Since each element of claim 1 is not present in either of the cited documents, the present invention cannot be obvious in light of these two documents. Upon consideration of the above, Applicants respectfully request that the rejection of claim 8 under 35 U.S.C. § 103 be withdrawn.

Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

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